

in mind our solemn responsibility to support our national defense. That is our No. 1 priority. All of our other freedoms flow from our ability to protect and defend the American people.

Whether our servicemembers are guarding against threats from China, Russia, Iran, North Korea, or terrorist groups, they need the backing of a strong National Defense Authorization Act to succeed.

I appreciate the bipartisan work of the Armed Services Committee, chaired by Chairman REED and Ranking Member INHOFE, and appreciate their hard work in getting this bill ready for our consideration. The committee, during its markup, adopted 143 bipartisan amendments and reported out the final bill by a vote of 23 to 3. You don't get much more bipartisan than that around here.

This legislation has been waiting in the wings for months, and I am glad we can finally begin consideration of this critical legislation this week.

I hope we can continue the legacy of bipartisanship that guides this legislation through the Senate. This debate should be about how to defend our national security, how to deter tyrants and bullies from around the world, and guarantee the blessings of liberty to all democracies—those that share our values.

I yield the floor.

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, the Senate will now proceed to the Kanter nomination, which the clerk will report.

The legislative clerk read the nomination of Jonathan Kanter, of Maryland, to be an Assistant Attorney General.

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate, equally divided.

The Senator from Connecticut.

BORDER SECURITY

Mr. MURPHY. Mr. President, I will admit that I have some level of confusion when I listen to my Republican colleagues come to the floor and register their complaints when matched against the actual policy positions that my Republican colleagues hold. And I want to present two examples of my confusion this morning.

First, I have heard many of my Republican colleagues come to the floor of the Senate and talk about their concern about price increases in the economy today—and then register votes against the measures that would help families afford things.

Many of my Senate Republican colleagues voted for the bipartisan infrastructure, but more voted against it. In the House of Representatives, there is discussion of purging from the Republican Party any members of the House Republican conference that voted for the infrastructure; notwithstanding the fact that in that bill is funding

that will have a deflationary impact on the economy: money for ports, money for infrastructure, money to be able to move goods and people more quickly across this country.

The Build Back Better agenda—the bill that is going to move before the House and the Senate this month with no Republican support—is all about reducing costs for average, regular Americans: reducing the cost of healthcare, reducing the cost of energy, reducing the cost of childcare.

Childcare expenses are driving American families crazy today—absolutely crazy. The Build Back Better Act will reduce the cost of childcare by 10 to \$15,000 for families in my State.

Republicans oppose the Build Back Better Act because it increases some taxes on billionaires and millionaires. It asks every corporation to pay a minimum amount of tax so that companies, like Amazon and Google, don't get away with paying nothing or next to nothing in tax.

The reason why so many Republicans oppose the Build Back Better agenda is because it is about transferring economic power from the haves—from the economic elites to folks who have been getting the short end of the stick, who have been getting fleeced by this economy.

When Republicans had the chance to cut costs, they did it only for billionaires and millionaires. Eighty percent of the Republican tax cut went to the richest 1 or 2 percent of the economy.

When Democrats have control of the Senate, we deliver tax cuts for the middle class and for the poor. We deliver cost reductions for average American families.

Wages are going up higher than the rate of personal consumption inflation. Right? Personal consumption inflation is just under 5 percent. Wages in the last 12 months have gone up by over 5 percent.

People are making more money. Part of the consequence of people making more money is that some costs go up. But when Republicans were in charge of the White House and the Congress, we just were, largely, flat. Wages are finally going up. People are making more money.

And we are going to have legislation on the floor of the Senate that dramatically cuts costs for average American families, and that legislation likely will get not a single Republican vote.

Republicans' priorities, historically, have been to deliver benefits to the wealthy, to the elites, to their corporate friends. And so when faced with a very different agenda—an agenda that is all about cost reduction, tax cuts for average families, for families making \$30,000 a year, for plumbers, for teachers, for factory workers, for janitors—not a single Republican vote.

So therein lies my confusion that I hear a lot of my Republican colleagues—Republican colleagues that I like, that I respect—come to the floor

and complain about costs and then refuse to deliver a single vote for the most significant legislation to reduce costs for families that this body has considered during my time in the Senate.

Here is my second reason for confusion. Now, encounters with migrants without documentation has come down at the border 3 months in a row—pretty dramatic reduction, in fact, when it comes to unaccompanied minors and families. That is because this President's policies are working.

That is probably the reason you don't hear as many Republicans coming down to the floor talking about the surge at the border. But Republicans have been down here consistently for months talking about the crisis they described at the border.

And so my confusion here is connected to their avowed concern about the surge at the border and then their decision to oppose a Homeland Security budget that would help us address those escalating numbers at the border.

Right now, Senate Republicans are refusing to negotiate with Democrats on a budget for 2021 and 2022. That is what is going on right now. Historically, we always had differences when it comes to our priorities in the budget, but we always sat down and negotiated. Right now, Senate Republicans are boycotting discussions over a budget. And one of the theories is that many Republicans would like to see a continuing resolution—the Trump spending levels continued for the rest of 2021, 2022.

Let me tell you what the impact of that would be when it comes to our operations at the border. I want to explain this because I have the honor to chair the Appropriations Subcommittee overseeing the Department of Homeland Security, and we, just a few weeks ago, introduced a budget for the Department of Homeland Security for fiscal year 2022. But if this budget or a version of it negotiated with Republicans doesn't pass, the result is catastrophe at the border.

This budget includes \$178 million for medicine and medical contracts for unaccompanied children that arrive at our border—desperately needed medical care for all of these children and families that are arriving at the border. None of it would be available if we went on a continuing resolution. We would have a health crisis at the border.

There is \$130 million for three permanent multipurpose, multiagency facilities, which will streamline the processes of individuals who present at the border. Right now, we have these megaexpensive, inhumane, soft-sided facilities. That significant investment at the border cannot happen if we have a continuing resolution.

There is \$25 million in this budget for increased transportation costs, allowing Border Patrol to reduce overcrowding in facilities, moving individuals from crowded facilities to facilities that have room. None of that transportation money is available in a CR, which means the overcrowding gets worse.

But the crisis is even bigger because without a new budget, we can't pay the Border Patrol. We will have a \$770 million payroll shortfall—almost \$1 billion payroll shortfall—if we have a CR in the Department of Homeland Security rather than a new budget.

That will cripple our ability to manage the border. That will either mean massive layoffs of CBP personnel, USCIS personnel, or it will mean a massive reprogramming in which the Biden administration is forced to take money from cybersecurity and put it onto the border or steal money from the Coast Guard in coastal defense and put it on the border.

One independent study showed that a decrease of just 33 CBP officers at our ports of entry would decrease GDP by \$66 million and lead to a loss of over 1,000 jobs. Why? Because at our ports of entry, when you have a massive downsizing of personnel, wait times go up, businesses lose money.

If we are on a CR and we don't pass a budget, Coast Guard readiness is compromised. The money in this budget for a new offshore patrol cutter, for national security cutters, for the sustainment of the aging rotary wing aircraft fleet—unavailable. So our Coast Guard readiness continues to suffer, compromising U.S. national security.

We all know that cybersecurity is an increasing existential threat to the United States, and so this budget proposes a significant increase in our cybersecurity defenses. How is the Department of Homeland Security, without a budget if a CR is extended through the end of the year—we can't adjust any of our funding programs or priorities when it comes to cybersecurity. We are essentially stuck in a pre-SolarWinds environment in the Department of Homeland Security without the ability to adjust for current threats.

Finally, we will just be wasting a ton of taxpayer money. I will give you one example. Right now, we have thousands of empty ICE detention beds—thousands of empty ICE detention beds. We pay contractors to maintain these beds, to staff these beds, but there is nobody in them and there is likely not going to be anybody in those beds for the entirety of fiscal year 2022.

But if you are on a continuing resolution and don't pass a new budget negotiated together, Republicans and Democrats, then we are paying for beds we don't need. We are just wasting taxpayer dollars.

If we don't pass a budget, if we don't update the appropriations bill for the Department of Homeland Security, we

are going to be gutting our border protection, we are going to be costing the economy billions of dollars, we are going to be compromising the defense of this Nation, and we are going to be wasting taxpayer dollars.

We are sent here to be proper and responsible stewards of our constituents'—our taxpayers'—hard-earned dollars. They don't like sending their money to Washington, but they do so under the belief that we are going to be careful about how we spend it.

By just extending 2021 spending levels to 2022, especially when it comes to the defense of this Nation, especially when it comes to the protection of our borders, a CR could be disastrous as much as it is wildly irresponsible.

I yield the floor.

Mr. DURBIN. Mr. President, this week, the Senate will consider Jonathan Kanter's nomination to be Assistant Attorney General for the Justice Department's Antitrust Division.

Mr. Kanter is a distinguished antitrust lawyer with decades of experience in the public and private sectors. He received his undergraduate degree from the State University of New York at Albany and his law degree from Washington University School of Law.

After graduating, he worked as an attorney for the Federal Trade Commission's Bureau of Competition. He then went on to spend more than 20 years in private practice as an antitrust lawyer. During that time, Mr. Kanter has become a highly influential advocate for strong and meaningful antitrust enforcement, with a special focus on the digital economy.

And he has earned support from across the political spectrum. Nine former heads of the Justice Department's Antitrust Division—representing every presidential administration going back to Gerald Ford—submitted a letter urging the Senate to quickly confirm Mr. Kanter.

These former leaders of the Antitrust Division wrote: "Jonathan Kanter has the talent and the leadership skills to do the job well. . . . He knows the substance of antitrust. He appreciates its importance to the American consumer. . . . In short, we believe Mr. Kanter is right for this important position."

The members of the Senate Judiciary Committee agree. Mr. Kanter was voted out of the committee by voice vote, a testament to his bipartisan support.

With his extensive experience as an antitrust lawyer, deep knowledge of the law, and masterful understanding of the challenges facing antitrust law enforcers, Mr. Kanter would be an outstanding addition to the Justice Department.

I urge my colleagues to join me in supporting his nomination.

VOTE ON THE KANTER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Kanter nomination?

Mr. MURPHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Ms. HASAN), and the Senator from New Hampshire (Mrs. SHAHEEN), are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 470 Ex.]

YEAS—68

Baldwin	Grassley	Padilla
Barrasso	Hagerty	Peters
Bennet	Hawley	Portman
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Booker	Hirono	Rounds
Boozman	Hyde-Smith	Sanders
Braun	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Lee	Tester
Collins	Lujan	Thune
Coons	Lummis	Tillis
Cortez Masto	Manchin	Van Hollen
Cotton	Markey	Warner
Duckworth	Menendez	Warnock
Durbin	Merkley	Warren
Feinstein	Murkowski	Whitehouse
Fischer	Murphy	Wicker
Gillibrand	Murray	Wyden
Graham	Ossoff	

NAYS—29

Blackburn	Hoeven	Rubio
Burr	Johnson	Sasse
Capito	Kennedy	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cornyn	Marshall	Shelby
Cramer	McConnell	Sullivan
Crapo	Moran	Toomey
Cruz	Paul	Tuberville
Daines	Risch	Young
Ernst	Romney	

NOT VOTING—3

Hassan	Inhofe	Shaheen
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's actions, and the Senate will resume legislative session.

The Senator from Rhode Island.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the exception of this speaker, who will speak for, probably, more like 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.